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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

JIMMIE G. BILES, JR., M.D., Plaintiff, v. JOHN HENRY SCHNEIDER, JR.; and MEDPORT, LLC, Defendants.	Civ. No. 19-CV-48-F
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PLAINTIFF'S STATUS REPORT PURSUANT TO ECF # 125

Plaintiff Jimmie G. Biles, Jr., M.D., by and through his counsel, R. Daniel Fleck, M. Kristeen Hand, and Sarah A. Kellogg of THE SPENCE LAW FIRM, LLC, hereby provides this Status Report Pursuant to ECF # 125, and states as follows:

As the Court knows, this case arises from the breach of a Settlement Agreement resolving the claims brought by Plaintiff Jimmie G. Biles, M.D. against Defendant John Henry Schneider, Jr. and others in the lawsuits *Biles v. Schneider*, No. 2:11-cv-00366-NDF (D. Wyo. dismissed June 18, 2012) and *Biles v. Fallon*, No. 2:11-cv-00294-NDF (D. Wyo. dismissed June 18, 2012).

Plaintiff sought damages for breach of contract and intentional infliction of emotional distress and also sought injunctive relief. The Court has entered partial summary judgment in Plaintiff's favor awarding contract damages and injunctive relief, including:

1. Awarding liquidated damages under the settlement agreement;
2. Enjoining the Defendants from further violating the confidentiality agreement;
and
3. Enjoining the Defendants from further violating the non-disparagement clause.

Moreover, the parties have stipulated to the voluntary dismissal of Plaintiff's intentional infliction of emotional distress claim without prejudice. That stipulated motion (ECF # 126) is currently pending before the Court. To the extent the Court grants the stipulation, Plaintiff believes that order will fully resolve Plaintiff's claims and that the existing judgments will become final. Plaintiff then anticipates moving for attorneys' fees, costs and appropriate appeals bonds.

Dated this 25th day of September, 2020.

/s/ Sarah A. Kellogg

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of September, 2020 I electronically filed the foregoing Status Report with the Clerk of the Court using the CM/ECF system which will send notifications of such filing to the following addresses:

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